

REMARKS

Status of Claims:

Claims 12-17 have been newly added. Thus, claims 1-17 remain for examination. Claims 4-7 and 11 are indicated as containing allowable subject matter.

Claim Amendments:

Claim 1 has been amended to improve form, and claim 11 has been amended to correct a typographical error.

Prior Art Rejection:

Claims 1-3 and 8-10 stand rejected under 35 U.S.C. 103 as obvious over Nakahara in view of Yotsumoto and Schwartz.

The examiner's rejection is respectfully traversed.

It is noted that applicant's priority date for applicant's Japanese first filed application predates the primary reference to Nakahara.

Submitted herewith is a verified translation of applicant's priority document. With the filing of this verified translation, applicant perfects its claim to priority and removes the Nakahara patent as a prior art reference. With the removal of the primary reference to Nakahara, the PTO has not made out a prima facie case of obviousness under the provisions of 35 U.S.C. § 103. As such, the Sec. 103 rejection must be withdrawn.

New Claims:

Newly submitted independent claim 12 is similar to claim 1 but is drafted to eliminate the "means for" language to place this claims outside of the provisions of the last paragraph of Sec. 112. Thus all of applicant's independent claims are deemed patentable over the prior art.

Applicant's dependent claims are deemed to be patentable at least by virtue of their dependency on the independent claims discussed above.

Conclusions:

It is submitted that all of applicant's claim are allowable over the prior art and that the application is now in condition for allowance.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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